



13-172



Humbly sheweth,

**T**Hat Your Petitioners affections to the Parliament hath been long since testified in the Answer he did heretofore set forth in 1642. To Dr. Fearnes Book, that bee hath ever since continued, and still continues firme in the same affection, that out of his zeal to Reformation in the Colledge, whereof he is a Member, he did in 1643. preferre a Petition to this Parliament, against divers Malignant Fellows, and by the care of those to whom it was referred, good fruit came thereof, that yet Dr. Arrowsmith the present Master hath brought in divers Fellows and Seniors, very unfit for Government or Trust in the Colledge, some being arrand Malignants, and others very illiterate and unqualified by the Colledge Statute, to the much wronging of divers fellows in the Colledge, that your Petitioner having a personall and foreign difference with one Mr. Winterburn, a man recorded in the Colledge, Propter insignem Temulentiam & Crebra convitia contra diversos Socios, And the petitioner having appealed to Dr. Arrowsmith, the Vice-chancellour, for the University Justice against him, and it being denyed, the petitioner thereupon caused Mr. Winterburn to bee Arrested by a Common Law-Procresse, that Dr.

A 2

Arrow-

Arrowsmith taking notice that your petitioner meant to complaine against his Abuses in the Colledge, for bringing in the persons above mentioned, and other unstatutable and illaudable Government, took occasion from that suite so commenced against Winterburn, and for that cause, procured an Order to bee made by unstatutable Seniors, to eject the petitioner out of his Fellowship in the Colledge, and that if the petitioner complaine, the charge of the defence should bee upon the Colledge charge.

The Petitioners humble suite is, that the premises may be examined, and that some of the Justices of Cambridge may bee Ordered to doe it, and bee enabled to call to their assistance (if there bee occasion) what Master of Arts they shall think fit, and that the said Justices may give your Petitioner, and all unjustly wronged Fellows, upon information, Reparation and Damages; but if otherwise Your Honours shall think fitting to examine this Petition Your selves, yet that these Justices may so farre have power to examine the Truth of this Order alledged, that your petitioner may have the Benefit as well as they during his attendance here upon examination. And in case Your Petitioner Faile, he will repay, what hee shall receive upon that Order,

And your Petitioner shall  
always pray, &c.

The





## The Grounds for the Petition.



*Heopompus being asked how one might govern securely, he answered, If he gave liberty to his Friends to speak freely to him, and not to neglect to his power, his Wronged Subjects. Being so friendly a subject, I conceive I may complain by this Rule, with liberty of speech, yet notwithstanding if the naked Truth could have put forth her selfe with any other ornament then this of Print, or the Parliament could have been inform'd with a more facile and distincter Relation, or any fairer way, by encountering with an adversary, then by Printing, I should have studied it; whereby I shall deny my self all advantages by preiudiciall and private informations, saying and unsaying. And let me be printed in the fore-head if I should so much abuse your Honours in the publick affaires with an unjust complaint of such, if they would otherwise have been reformed: Neither, if I flatter not my selfe, is any cause lesse then publick; For having sustained all my oppressions in respect of my affections to the Parliament, I conceive you will give it a pullick (c) construction. And to make this appeare, I must needs begin my Story of affections and afflictions with the Parliament. The first touchstone to my affections was, that they would not be steered by my Lord Keeper Littletons compasse, (with whom I lived) for when he steered North, I rowed South, and so my hopes of being Secretary under him, was shipwrackt. To the Colledge I came, as to a Sanctuary from the calamities that would ensue; but in truth, the Society were so fermented with the old Traditions of *St. Barabas*, that I could not digest their sowre belches against the Parliament. For I was no sooner list'd by*

Θεοπομπῷ  
πρὸς τοὺς ἀπολ.  
συνά. πως αὐ-  
τὸν ἐπὶ τῶν  
Βασιλείᾳ τῶν  
ρῶν, εἰ τὴν αὐ-  
τίαν, ἔχον, μα-  
ταδίον παρ-  
ρησίᾳ διατά-  
ξαι διὰ τοῦ  
πρὸς αὐτὸν  
μὴ μὴ περι-  
ρῶν ἀδικίᾳ  
Πλου. Λακον.  
Απολ.

(c) πρὸς τὴν  
τὴν αὐτὴν τῶν  
συνά. δαί, ἔχον  
τὴν αὐτὴν τῶν  
δαί. Πλου. Πα-  
ραρ. Εὐαγγ.

them, but my continuance was as bad as in a Purgatory, by their heart-burning against me, so that I onely and another, did in the whole. Univerſity endure the brunt, (f) others it's likely there were, but appeared not till preferments thined upon them. For the other indeed, he bolted himſelf very freely, while they like Magpies, were continually chattering at him as a Scoted Nightingale. And indeed in him I ſaw the power of truth, that could make the *Albanian Owl* oppoſe ſo many Crows, when they thought him to be too old to be taught by them, they neglected him; and left he ſhould be dejected by their uncivill carriages towards him, I kept him company, ſo long that he would keep me company. About this time I had denied my plate to the King, and ſome others by my example and dehorration. And this Mr. Allot, who is now one of my adverſaries, and our Grand-D, was pleaſed upon an occaſion to give me this Certificate; Upon the ſending of the Colledge Plate unto the King, I was in a wavering condition whether I ſhould ſend my plate or no, by reaſon that my Uncle would have me do it, being altogether led by Dr. Baile; ſo that in appearance it would have done me much prejudice to have denied my Uncle: but meeting upon this reaſon with Mr. Waideſon,

(e) I aſkt him what I ſhould doe, who utterly diſſwaded me (knowing my affections to the Parliament) from ſending my plate unto the King; upon which I reſolved not to ſend it. Beſides, I heare ſay that Mr. (f) Winterburn, by his ſaid Mr. VVaideſons example, kept his plate, though he had once delivered it, July 18. VVilliam Allot.

By theſe doings, and my denying to pay an arbitrary Tax to our Or-garult, I was put out of commons: And by my frequenting of the ſociety of ſuch Towneſmen as affected the Parliament, the Seniors ſignified, as may appeare by Mr. Allots oath taken upon occaſion afterwards, that I ſhould be excluded from all ſociety. (To the II. Interrogatory) *who ſaith that old Dr. Allot not long before he died, did adviſe and conſell the Examiners, that they ſhould by no meanes aſſociate or keep the company of Mr. VVaideſon, by reaſon the Seniors of the Colledge thought ill of him the ſaid Mr. VVaideſon; for keeping the company of one Mr. Almond, and one Mr. Blakely, Towneſmen, whom they conceived and noted for Round-heads, and well affected to the King and Parliament.* VVilliam Allot.

About this time there was a Phyſick place to be choſen, and Lecturer. After I had peruſed the Statute, I made my ſelfe confident of it, concei-

(d) Ut Seneca  
verbis utitur,  
Quoſdam (ait  
Epicturus) ad  
veritatem ſine  
ulius adiutorio  
cōdere, hoc  
maxime lau-  
dar, quod bas ex  
ſe impetus fuit,  
qui ſeipſos pro-  
tule uat, quod ſcā  
indigere opē a-  
lieni, non ita-  
ros ſi nemo  
preceſſerit, e-  
gregium hoc  
quoque, ſed ſe-  
cundæ ſortis  
ingenium, itaq;  
alteri in ſigis  
gratulari, al-  
terum in ſigis  
ſupici quum-  
vis enim ad e-  
undem ſuam  
utiq; perve-  
nerit, ita mō  
major eſt laus idē  
eſſeſſe in di-  
ficiore mate-  
ria.  
(e) Tunc illōs  
maxime revin-  
cimur, cum ſu-  
o um, in eōs di-  
cti retorque-  
mus. Chryſoſt.  
Tit. Tom. 4.  
Hom. 3.  
Firmum eſt  
genus probationis quod ab ipſo adverſario ſumitur, ut varias ab ipſis inimicis veniales probentur. No-  
varian lib. de Trij. cap. 28. apud Tertullian. pag. 63. (f) *homo qui in ſeipſo non habet fidem, non potest  
in alio fidem habere.* Homer.

ving no Student of Physick, at that time, but my self, in the Colledge, and the Statute so strict with an oath, which is, *That he that must be chosen into the Lecture, he must be conversant in Greek Galen, and Greek Aristotle, and apply himself to Physick, and he must be at the least a Master of Arts: And if none so qualifi'd be in our Colledge, to seek other Colledges for such an one.* And the election to be made by the Master and Seniors first sworn, to chuse accordingly, *Sine gratia, odio, ullave animi perturbatione adductis, sed illum quem maxime idoneum senserint, elegerint, &c.*

It was so devised by them, to set up the most eminent man in our University, Mr. Cleveland, a Cavalier and Civill Lawyer, and the most popular among them to be my Competitor. At the election six declared against me, two for me, Mr. Thirskon and Mr. Heron, then of good repute amongst the best, for learning and good example; Mr. Thirskon afterwards being examined by the Committee upon oath, concerning the election, which oath I give you verbatim, *To the sixth Interrogatory, That Mr. Cleveland before his election desired of this Deponent to give his voyce for him. Thereupon this Deponent demanded of him, whether he intend'd the study of Physick: his answer was, He did not intend it. Thereupon this Deponent did not give his voyce for him.*

To the seventh he saith, *That one Mr. Coates, one of the Senior Fellowes that gave his voyce against him, said, That Mr. Waideson was round. Then this Deponent said, That the Statute did aim at one that studied Physick.*

*To the eighth I answer, That I did hear Mr. Bodurda say, That he intended to give his voiet with Mr. Waidesone, because he thought he would read the Lecture, and that the other would be negligent in it, and looked onely after the profits of it.* Joseph Thirskon.

This Election fell upon Mr. Cleveland, by reason of the major vote; who that morning left off his Law place, & was put into a Physick place and Lecture; and I must be forc'd to the Ministry afterwards, or else lose my Fellowship. For our Statutes commands all to take Orders saving two Physitians, and two Lawyers, otherwise to be removed; so that if God had not otherwise disposed of our Seniors, the major part would have been prevalent against me to have urged the Statute. During the halfe yeare after, I did what I could to have ended this difference betwixt Mr. Cleveland and me, desiring of him that he would accept of my appeale, according to our 25. Statute in cases of differences, to some Fellowes, he chusing two, and I chusing other two. If not that, that we might refer to such Doctors in the Town, as in some cases that Statute provides for the ending of controversies. And upon examination

amination of us both, I should acquiesce in their arbitraments, otherwise hee might think this, that it being done within the Parliaments Quarters, he would constrain me to make the Parliament Judges of it. But I spoke a great many words to him, to as much purpose as though I had said nothing. So that about two or three months after, in 1643. I petitioned the Committee of Parliament, Mr. *Rouse* being Chair-man, complaining that foure of the six Seniors had given their votes contrary to Statute and their oath, & the other two, as not worthy to have vote in respect they had not knowledge to understand the statutes, by reason of their want of the Latin Tongue. And I did pray that Mr. *Cleveland* might be sent for up, that we might passe an examination under Sir *Theodor Meiron*, Dr. *Deodate*, and Dr. *Rant*, eminent Physicians of the Colledge of *London*, to report our sufficiencies. The Committee would have ordered a Pursivant to have gone for Mr. *Cleveland*, and the two ignorant Seniors; but I desired that they might not be put to that charge, but I would take order that they should be served with their Order, which I sent to one of *Cambridge*, desiring that he would give notice: he carried it, with a copie of my Petition, to the President of the Colledge, and warned him to give them notice. By this time, I had received a Letter from the Vice chancellour, who desired that I would submit to that, I had formerly offered, (and incloses in his letter a paper, that the Seniors were now willing under their hands, to accept of my trying of it according to the 25. Statute. In the mean time Mr. *Cleveland* goes to *Oxford*, the two illiterate Seniors gets out of the way: Nothing more being done in my businesse, I came down, I staid above a quarter of a year waiting on them, but I perceived they meant me no good. At the length I was compelled to move my Lord of *Manchester* to have my businesse examined according to our 25. Statute, he being then in *Cambridge*. The two illiterate Seniors being returned, because the Parliament was then at a low ebb; and they being part of my petition, was brought before the Committee, either to translate one of our Statutes, to be sealed, up and so sent to the Doctors mentioned, or to undertake to construe to the Doctors such Latin, but they refused, so that the Committee without any privy of mine, had sent them to my Lord of *Manchester*, one of them being much pressed by my Lord of *Manchester*, (Lieutenant Generall *Crumwell* being present) to make his choice of three Authors, *Barkley*, *Tullies Epistles*, and *Aesops Fables*: Hee at length chose *Aesops Fables* (*Canis & Gallus*.) And when hee had in haste swallowed the first line, (for I think the Gods-head could have found in his

his heart to have eaten the Book) my Lord did bid him ruminare on it, that there might have been a better construction of his abilities, which he refusing, my Lord pronounc'd that he could not construe it. The other being called to the same task, hee durst not crow before *Esops* Cock, and utterly refused the Encounter, so that my Lord for their obstinacie committed them both, though I interceded to the contrary ; At the length my Lord sent them a Scotch Lesson in plain English, which they would not learn for spoiling their preferment, upon the refusall of which they were put out. By this time our Royall Bees kept a fearfull buzzing about my Eares, because I had expelled those Drones out of our Hive, which they conceived not so, for they were active enough for their King, and scandalled me, That I had disgraced the Universitie, and dishonoured the Colledge, contrary to the Oath I had taken to them both : Now let all men judge whether they or I honoured the University the more, they by endeavouring to keep such men contrary to our Founders wills, or I endeavouring to exclude them, that more statutable men might succeed them, which Act would be a gentle caveat besides, for such proceedings hereafter, and for the Oath we took, we swore to the Statutes and Decrees, and not to observe such mens proceedings against Statutes ; in truth it was to bee wondred then, but much more to be wondred now, in the Time of Reformation, That the keeping of the Statutes should be imposed upon oath by every Fresh-man, which statutes neither they nor the highest degree can command a sight of, saving the Vice-chancellor and the two Proctors : Thus much by way of Prologue to my subsequent discourse.

About this time was our new Master put in by my Lord of Manchester about March 1644. who was only countenanced by me, and one *Allot* that wore a Master of Arts gown, and our new Master to gratifie me for my respects (g) promised me the Register place of the Colledge, which is worth 40 *l. per annum* ; it was then in the custody of Mr. *Barwick*, and in the usuall disposing of the Masters : Our new Master presently discontinues, but afterwards being mindfull of his promise, he writ to me to call for the Book of Master *Barwick*, and to keep it, but Master *Barwick* being out of the way and ejected for not taking the Covenant : Master *Peachie* one of our Malignant Seniors gets the Book into his hands one way or other, which I knew not then of. About this time *Aprill 27.* I summoned our Seniors before Doctor *Collins*, Doctor *Bainbrig*, Doctor *Love*, as our Statute gave way,

(g) *Iam te reni-  
factam Bythi-  
nice, credis ha-  
bere.  
Pollicitis dives  
quolibet esse  
potest.*



to know the reason of them why they would not elect the Physick place, they made them Answer that they could not, because 4. or five of the Seniors were put out by my Lord of *Manchester*, so that they could not by Statute, yet this they could not denie, if I would read the Lecture in the Schools they would pay me the Pension, till they could meet to elect a statutable man; Notwithstanding these their false pretences, about a month after, they chose Mr. *Henman* to be Head Lecturer, it seems then they had power enough; by this time it came to my turn to read in the Schools, and least I should misse their abuse they had intended for me there, they had made an order procuring the Vice-Chancellor to be seen in their order, that if I read not twice in the week one whole hour, I was to be punished ten shillings a time, though they could not prove such punishment statutable. Well I did intend to be punctuall, and to read, though none of my predecessors in this Lecture hath read publikely in the Schools but my selfe in the memorie of man: Now when any day of reading came, the old Fellows and Schollers all went with me (I am confident few was wanting) the Parliament fellows as yet were not: After I had taken my place according to custome and made my Speech, and when I was in the midst of my Lecture, all the Fellows went away, but left their Pupils behinde, who knew their *Q*. some hum'd, and some hilt, who was ashamed of such doings, yet I continued my prescribed hour, not taking notice of their affront at that time beyond all example; yet this not being sufficient, within a day or two, Mr. *Dand* one of the Triumphirates (for they said there was to be no more but 3. Seniors) pronounced to me an admonition publikely in the Hall at dinner time, as if I had not read according to the Statute, which was false. My quarter day comes I demand my salarie for my Lecture of Mr. *Dand* being Burser, it was denied me, they knew then I would go to the Committees, and they wanted a friend there, and who should this be but my Brother Parliamentarian Mr. *Allot*, who went privately to the Committee, and did commend these men, and belike spake somewhat obliquely of me, I conceive upon such self suggestions he fall off from me: These Seniors now easily complie with our Master, it is impossible for me to root them out, and for Mr. *Waideson* I am sure to receive nothing but statutable favour whereof I am capable of none, because I am a worse Dunce, then any that was turn'd out, therefore I will doe what I can to keep him under, and so thereby shall I regain the favour of the old Fellows whom I cannot put out. Indeed by his secret doings I found my acceptance at my next complaint, not

το πιδανον  
ισαν τῆς ἀλλο-  
θιας ἔχει.  
Stobaeus.



so easie as it had went to be, but I overcame those difficulties by my importunity, so that *Dand* and *Peachie* once more appeared before the Committee, and after they had examined my complaint, one of the Committee profest that he thought my cause had not been so good, and the Committee was much incensed against them, I took occasion then to complain that Mr. *Peachie* might restore me ten shillings which he had pocketred up as my punishment for want of an Exercise, during my attendance upon the Parliament, which I was punished contrary to our Statutes, so be it I had been justly punished, it should have gone to the Colledge: The Committee answered, they would refer this businesse to Master *Arrowsmith* the Master to determine, but they agreed so far to my request, as that I should have the keeping of my ten shillings out of Mr. *Peachies* hands, and Mr. *Peachie* might if he conceived the thing due to him, to move the Master in it: Well, the Master comes home the *Michaelmas* after, And at Mr. *Peachies* request he took the matter into Examination, and upon my arguing Mr. *Peachie* could get no monies back, and the Master finally made an end of it: The Master at that time upon the instigation of these Seniors, made an order to stop my complaints to the Committee without giving me notice, and of the stopping of my quarterage; upon the pretences that the Rents was not paid for the Lecture, which Rents lay in *London*, and was good pay, and above six times the value the lease came too the Houses was worth, but Mr. *Dand* and the Burser had no mind to call for them I beleieve, nor ever more to appear before the Committees, whether they stopt my course by getting the Mr. to joyn with them in the order: The Master goes to *London* whither I writ to him, that he would be prased to make his promise good at his first coming concerning the Registers piace, besides he was pleased at Midsommer last (which was the quarter day after) when I told him that I could not as yet obtain it, he offered upon my importunity to command it from the keeper of it then, but he had rather I should stay till (*i*) *Michaelmas*, and then I need not doubt of it, I did acquiesce accordingly, but now *Michaelmas* being past, and he took not any care of his promise, I considered with my selfe that hee studied to winne the Seniors to him by faire and plausible meanes, and that hee would be loath to give such displeasure as to take the Register Book from the possessor, it being gotten out of that mans hands Master *Barwicks*, from whom it was promised me by our Master; I offered him by my letter that if he so pleased, I would get the Committee to

(i) Nihil jam  
moror Synga-  
phas tuas, ite-  
re promissum  
fallacia medi-  
tatio est, Sym-  
machus l. 3.  
Epist.

(k) Licet enim nuda promissi apud juris (ut dicitur) peritos non pariat actionem, promissio omnis apud veritatem (ut dici solet) pollicem fixit, & jure civili cessante fidei naturaliter obligatur, sed quis actor durius agitur quam fides si ipsa cepit accusare, si agat conscientia, quis absolvere? Sarrisbarien. 4. Policratici cap. 11.

(l) *Plato* in his *Συμπο* brings in Alcibiades so ashamed, that he had not kept promise with him and wishing *Socrates* dead *Ἀπὸ τοῦ ἐν αὐτῷ καὶ οὐκ ἔστιν ἰδὼν, αἰσχύνεται τὰ ἀμολογῆναι καὶ πολλὰ καὶ μὲν ἥδυναι αὐτὸν ἰδοίμεν αὐτὸν μὴ οὐτά.*

\* But the Mr. now is contented to pocket up the profits of the place & another to do the service (15

make the Possessor deliver it to me, and he need not to be seen in it, he writ me word (k) that he had left it with Mr. Peachie as most properlie belonging to him, for Master Peachie had told him (as the Master told me afterwards) that it did belong to the President alwaies, which information of Master Peachie was an arrant lie, and the Mr. now knows it to be so.

Well, upon this Answer I stirred no further in this business, lest I should loose the Masters favour utterly, though no (1) Gentleman would have broken his promise under his hand, and by word of mouth divers times, and especially to have bestowed it upon my adversarie, without making me acquainted with his Reasons before he had done it, but I imagined then the best of it, that they had been old acquaintance in our Colledge many years agoe, which might be the reason he had a minde to be so beneficiall to him, \* for I had no waies given him any distast, he comes down about *Christmas*, I spoke to him about his private order with the Seniors, whereby my quarterage was stopped, I pleaded to him to have it annulled, but he being loath to doe and undoe; I told him plainly I would go to the Committee, & see whether the Seniors could justifie the order, but rather then those Seniors should or would appear once more before the Committee: The Master with them sends for me, and the Master propounds that I should referre my quarterages solely to himself, and withall the ten shillings business which he formerly had ordered against Mr. Peachie, I told him for that business of Mr. Peachies, I did conceive was already ended for me the last *Michael-tide*, but our Master would not meddle with the one without the other, I saw the hopes of getting my two quarters pay for the Lecture, by our Masters carriage to me, if I would put the ten shillings into his disposing again, which I did, it being no great sum upon his further desire, so that he without further examination ordered me six pounds which was my two quarterages. and to Mr. Peachie the ten shillings which I obeyed, though the injustice in that particular was very grosse. Now if our Master had been nodding when he judged it for me, and now awakt by Mr. Peachies new appeal, yet he should have been as just as *Phillip* was, not to retract the Sentence, but to have paid it Master Peachie out of his owne purse, *Plutarch Apotheg.*

About this time (the new Fellows that the Assembly had commended to us) had taken a survey of the Colledge, and did apprehend a way presently to get the Colledge preferments into their hands, against the Solemn Protestation the Master and they took before God and man it is thought) which is below a Master, and not safe for the Colledge.

in our Chappell to observe our Statutes and laudable customes, but the keeping of them, was not the way to their preferment, for they could not be content with such Seniority as betell them, therefore they make a short cut, and obtain this Order from the Committee, without acquainting of the old Fellowes.

*By the Committee for the Association.*

**B**Y vertue of his Lordships the Earle of Manchesters Directions unto this Committee, These are to require you, that you forbear to admit any person or persons, into any Office Within your Colledge, before you shall receive a Certificate under our hands, that such person hath taken the \* Nationall League and Covenant. And here you are to take speciall care. Given under our hands the 13. of January, 1644.

To the Mr. President and Fellowes of  
*St. Johns Colledge.*

Mr. Peachie and Mr Dand, two beastly Malignants, who had got knowledge of this Order, and seeing themselves excluded thereby, io insinuated themselves with our Master, as to procure this Order following in their behalfe; else the Committee would never have done it; whereby all the old Fellowes but these two were excluded, unlesse they took the Covenant.

**W**Hereas a late Order was by us sent to the Mr President, and Fellowes of St. Johns Colledge, for the fuller declaration of our intentions therein; hereby we declare, That by the Word Office therein, we understand any place of speciall trust, videlicet, the Bursers, Deanes, the Steeward, the Sacrist, or of speciall Command, videlicet, the President, Seniors, and their Deputies. Into which places our intent was, that no person should be chosen, without the Covenant first taken by him before us, and certificate thereof by us, We except not against Mr. Caley, nor any Senior Fellow, or their Deputies already chosen; but that they may be elected into such places as they are capable of. Nevertheless, in regard there is in the Colledge but one Senior resident, which as we are informed, is Mr. Peachie, we require him, together with Mr. Dand, and Mr. Heron, Deputies of two absent Seniors, to joine with the Master, and any two or more of you. And that the number of eight Seniors being compleated, by this meanes also, you would also proceed by election, to compleat such vacante places as may be convenient; so as the vacancy be not by vertue of ejection by the Earle of Manchester: And provided that the parties so chosen, first have taken the Nationall Covenant, as all those Fel-

\* Pactum, si  
fi tolleretur  
jus publicum,  
tunc non valer  
etiam si fuerit  
juramento  
confirmatum.  
Digest. lib. 2.  
tit. 14. De pa-  
ctis.

lowes

lowes of his Lordships admiſſion have done. And Whereof we certified you by theſe preſents. January 24. Anno Dom. 1644.

To the Maſter and Seniors of St. Johns Colledge.

Here we were ſenſible the little finger of our Maſter to be heavier then all our Statutes and Lawes, or that the Parliament did intend upon us; which will better appeare, if I cite the words of their Declaration, page 35. publiſhed March 13. 1647. in answer to the Scotch Papers.

**S**uch Favourites are Delinquents now grown With them, that though they ſave much troubled that ſuch as never were Delinquents, but have happily ventured their lives, and ſpils ſome of their blood in the Cauſe, may not be brought under the notion of Delinquency, only for not taking the Covenant, (When perhaps they have given them juſt cauſe of ſcruple by their ſtrange Gloſſes and Interpretations upon the ſame;) yet on the other ſide, they ſeem to brand the proceedings of the Parliament with crookedneſſe, becauſe from ſuch who were even Delinquents, and whoſe Delinquency (though minced with the ſtile of the notion of Delinquency) is no leſſe then high treaſon, they require the taking of the Covenant as one condition of the grace extended unto them, which was free for the Houſes to doe or not to doe, and upon what condition they pleaſed. And it is very ſtrange that the Covenant, which every one knoweth was directly framed and intended againſt that party, ſhould be eſteemed an Hook in relation to them, whereas indeed the Authors of thoſe Papers would make it a Hook to catch many honeſt men, againſt whom it was never intended. They are indeed endeavour'd to be hooked into a notion of Delinquency by the Covenant, as there hath been many endeavours by that and other meanes, to hook them out of all employment in the Church, State, and Army, and to hook in another Nation to be one of the States of this Kingdome, and to have a negative voice in all things concerning their Government and welfare.

You may ſee by this, if our new Fellowes have not uſed it as an hook, to put us out, and themſelves into all places of advantages: for thereby they have abuſed the Parliament moſt groſſly, as I have told them at publick meetings, yet for my own particular, the Committee did never ſend for me to take this Covenant, nor was I forward to run to a matter I underſtood not at that time, nor at this time neither, by reaſon of ſo many ſeverall interpretations upon it: for I was altogether \* unacquainted with the Scotch Government what it was, which by the Covenant I was bound to maintain: but I did ſay both to the Maſter and

\* Non ſtatim omnia quæ pio animo & bono zelo inſtituuntur, & abſque omni iniquitate recipienda ſunt. Hoſpitanian Feſt. Chriſt. cap. 3. pag. 14.

\* Quod juſte ſciſcienter fit: quod vero injuſte, ignorant. Ariſt. Topic. lib. 2. ca. 23.

and others, that when the Parliament should enjoyne me, I would take it; but I would not seeme for preferment to doe it. Well, I had reason to take this very discourteously from the Master, to be a meanes to bring my two adversaries without the covenant, and my selfe to be rejected; yet I submitted to the will of (m) God: for I know God had a hand in it for the discovering of their injustice by this meanes of my suffering, which had I been chosen Senior, or Deputy-Senior, these things had been prevented.

The Physick place and Lecture which I had so long contended for with Mr. *Cleveland*, now was to be chosen, I understood there stood for the Physick place Mr. *Allot*, and the Lecture Mr. *Winterburne*. This Mr. *Allot* stood for a Seniors place besides, I did conceive, without the Master, and Seniors were shamelesse, they would never see him in either place, I went to the Master and told him, that this Mr. *Allot*, my now Competitor, was the most egregious (n) Duncie that the University ever knew of, and so well known to all that knew him: for indeed he was worse then those ignorant Seniors my Lord of *Manchester* had turned out; so that I conceived he would be more cautelous thereby, otherwise I should prevent all excuse by his doing of it, *cum prescientia*; notwithstanding whatsoever I could alledge, hee was chosen one of the Physicians of the Colledge, by having the (o) place before me, and preferred to be Senior before ten or a dozen who were capable according to their covenanting Orders. And this was done upon a strict (p) Oath taken according to the fifth Chapter of our Statutes: For by the Statute he was to be *more prudent and more learned then the rest of the Fellowes*. There were three or foure old fellowes present, *Dand* and *Peachie* being two of them: Mr. *Heron* (give him his due) he would not consent to it: who the Parliament Fellowes were to make up the number of eight, I cannot remember; but then I apprehended that *Dand* and *Peachie* consented to it, not out of love to *Allot*, but in opposition to the reformation, secretly to work the ruine of the Master so consenting: For they knew by this meanes that the Master was obnoxious to the greatest obloquie, *Quanam est hac reformatio*, in respect my Lord of *Manchester* had turned out the Easter before, two egregious Dunces upon my complaint: presently after I come to stand for the Lecture, this *Dand* and *Peachie* set up Mr. *Winterburne*, a drunken Malignant, to be my Competitor; but neither of us did obtain it at that time: for our Master and Seniors (since the Orders of that Committee would not extend to it) made an Order that none should be chosen into the Lecture, unless they brought

(m) αὐτὸ μὲν-  
λον ἐχεινο-  
δα, τὸ γινόμε-  
νον. κρείττονα  
ἢ δέλοι, ἢ ἰγώ.  
Epist. lib. 4. cap. 7.

(n) Τὸν Δι-  
ον. Σαφὲν  
λέγου.

(o) Quicquid  
speravit Ulysses, postulat  
ut capiat, quæ  
non intelligat  
arma, ipse tu-  
lit pretium  
magni certa-  
minis huius.  
--- Exuvias in-  
duus Achilles.  
Χάλαρον δὲ  
λαδὺν δεῖν,  
αὐτὸρ ἐπιόρ-  
κον.  
Jurandi con-  
tempti religio  
satis Deum al-  
torem habet.



brought a certificate from the Committee, of our taking the Covenant. This Covenant they made their *Hocum pociu*; now it appeared, and then it did not appear for their masters advantage; for notwithstanding this their Order, they bestowed it twice afterwards, upon two that never brought any such Certificate. About *Lent* I went to *London*, and I met with *Mr. Good*, who with *Mr. Ash*, were my Lord of *Mancheesters* instruments for the putting of Fellowes out for the not taking of the Covenant: meeting with *Mr. Good*, I told him that the first Oath our master swore in the Colledge, he did forswear himselfe. Not a word of that (quoth *Mr. Good*) if you love me: but in truth (said he) I writ a Letter to him (meaning about *Daniel* and *Peachie*, and some others, as I conceive) but I had but a very sorry Answer. I desired that I might speake with him and *Mr. Ash*, about what I had to complaine: He appointed a day at *Westminster*, and when I came to speake with them accordingly, *Mr. Ash* replyd, That if I would say any thing, I must doe it to him in the presence of the master. I was contented, so he presently brought forth the master to me: then what I had made ready I gave in writing, which was a Charge that concerned him and the Seniors, of the things above specified. Well, this complaint went no further, the master promising before them, that hee would doe his best to get me the other Physick place before my Fellowship should bee voided by the Statute; and the (q) Lecture too I need not doubt of. Within a month after this, one *Mr. Braxolme* dies, a drunken malignant, but one that took the Covenant, and so made Senior: I desired the master that I might be chosen into his Seniors place: the master gave me a faire answer, That if *Mr. Ash* were willing, he (r) was. I went to *Mr. Ash*, and *Mr. Ash* returned mee back with the same answer. The master sent mee againe with the same message. Quoth *Mr. Ash*, what need you trouble me, if your master have a mind to make you Senior, I am willing to doe it, and why should I be against it? I made him acquainted with this Answer: our master then told me, he would consider of it: When hee came to consider of it, indeed he so considered of it, that he chose one *John Bird*, Bachelour of Arts at the most, to be one of our Seniors, or Ruling Elder: And you may observe in this, how the Committee Order was made a nole of Wax; for this *John Bird* never took the Covenant, as the Parliament Fellowes did at their admission; nor had hee a Certificate from the Committee, as their Order required, or ever tooke the Covenant, that ever I heard of, or believe. But our master could give an indulgence for the sinne of not taking the Covenant, as well as his

(q) Pollicitis  
dives, quilibet  
esse potest.

(r) Levissimi  
animi mos est  
polliceri facile  
quod non dis-  
ponit implere.  
Cassiodorus.



his admission into his Fellowship and continuance contrary to our Statutes which he knew before, and the Parliaments intention, this *Bird* I beleieve I shall mark for our Masters Black Swan, before I let him flie; The next thing that this fellow would contend with me for, was a Physick place. for there is but 2. in the Colledge, the other being now void, without which I must presently part with my Fellowship; *Alas* having foold me of the first, this *Bird* would cheat me of the next: Our Master continuing at London, the Old Seniors would needs had *Bird* have had it, but the New Seniors would not doe me that wrong, so the businesse was at the length examined before the Committee, who did dehorth *Bird* from the standing for that place, notwithstanding he gave out Bragadoes, that he would doe any exercise with mee for the place.

The next day I gave it him under my hand, that I would take any peece of Greek *Hippocrates*, and comment Physically upon it with him. This Answer of mine was well known in the Colledge, but *Bird* disgorged it, so that the place was conferred upon me: Now within a month after, the Lecture must be chosen, that Master *Cleveland* and I had contended for, and had not as yet been chosen, to which this ravenous *Bird* had a maw too, the Mr. and Seniors meet to the election, the statute requires that he should bee at least *A Master of Arts*, and to read publicly in the Schools, and so be conversant in Greek *Galen*, and Greek *Aristotle*, and such a one they are to choose upon Oath, the most capable accordingly, against this *Bird* I alledged by writing unto them, that (1) Greek *Galen*, and Greek *Aristotle*, was never his Books, therefore how could he be conversant in them. As for his degree of Master of Arts it did not appeare, nor did I beleieve any such thing, besides, grant him to be a Master of Art, he could not read the Lecture in our Schools because he was not incorporated, and so at that time incapable. Now one that was actually capable to read there, was to be chosen, for my own particular I had read all Greek *Galen* over, and for my conversation in Greek *Aristotle*, I made to appear to them by presenting a Book of my own, in answer to a Book of Doctor *Fernes*, whereby I did endeavour to confute Doctor *Fernes* Royall prerogatives by *Aristotle*; The Subject of the Book was these four Positions: First, *That Kings ought to be subject to account when they become Tyrants.* Secondly, *That his Oath is conditionall.* Thirdly, *That no greater prerogative belongs to successive Kingdomes than to elective.*

(1) Hee having been a Pedagogue in Toeslies Lane in Southwark.

C

Fourthly,

Fourthly, *That the person of a Tyrant ought to be inferior to the Law which represents both King and Kingdom.* This Book I did conceive would have pleaded sufficiently in a just cause where the greater part of the Company was Parliamentarians, and at that time when the Presbyters themselves preacht these opinions; my name not being at it, it was said by them at that time, that it was supposed to be Doctor *Darissaw*, our Historie professor, to be the maker of it: This was but their pretence, for I am confident none of them doubted of it being my Book, for there was witnesse sufficient both within and without Colledge for that particular, notwithstanding all this they bestowed the Lecture after a strict (t) Oath taken by them upon *alias John Bird* who could could not make the capabilities above specified, well, I apprehended that all this was through the complaint I had made to (u) Master *Good* and Mr. *Ash* of our Master formerly, and how all the Seniors would bandon upon all occasions against me with our Master, who but a quarter of a year before, about *Easter*, made mee acquainted that Mr. *Bird* had intended to have stood for this Lecture, but he dissuaded him from proceeding in it as not being capable: Now it came into my minde fully to leave the Colledge, for I had made a vow when Master *Chesland* was possessor of the Lecture, that if I did not get the Lecture I would not continue in the Colledge. I went into the Countrey and furnished my self with monie, so that before I took my farewell of St. *Johns*, I did intend to let the Parliament know how unjustly one of their truest and most engaged friends had suffered for their sake, and to this intent I put up a Petition to the Committee for Petitions, Mr. *Goodwin* being in the Chaire in 1645. about Michaelmas Term, Mr. *Goodwin* he advises me to refer the hearing of it to the Vice-chancellor, I replied, I conceive that would not be so safe for me, as to make one Master judge of another Master, in case betwixt a Mr. and his Fellow; yet I told him that I should be willing to refer the business to our Chancellor, but he replied nothing to it. By this time, our Mr. heard of my acting against him, my Petition still remaining in the hands of Mr. *Goodwin*, nor could I get it delivered into the House (not to cast any Aspersions of the Committee, for multiplicities of business might perchance be a let to it) There were two Gentlemen, Parliament men, in the Town, one of them knew me of old, and I did alwaies find him to be a respective man to me in respect of my former sufferings, for the other, though I knew him not, yet I applied my self to him as one whom I heard a good opinion of: in this time Doctor *Hill* our Vicechancellor

(t) Η' γλῶσσ' ὁμιλοῦν, εἰ δ' ὀρεῖν ἀνέμελος.  
His tongue  
swore, but not  
his heart. Eu-  
rip. in Hip.

u Manet alta  
mente reposi-  
tum.

met me in *Westminster*, and offered me if I would goe down to *Cambridge*, he would undertake I should have the Lecture; my old friend the Parliament man profered me the like, and I thinke the other Parliament man, all at severall times, but my Answer was one and the same, that either *Mr. Arrowsmith* deserved not to be Master, or else I not to be Fellow. My petition could not be delivered yet: and in this time the master had invented a way, either to take my old friend cleare off from me, or at least to make him doubt, that I had abused him. The master being newly come from *Cambridge*, to which place a letter was brought to him (as he pretended) in the name of that Parliament man, signifying *That he understood that he governed not according to the Statutes, but in an arbitrary way*, and much more to that purpose: but so well it was devised, that it did sting both the master and the new Seniors; and this letter forthwith, my good friend must be perswaded by his means, that I had devised it during my stay at *London*, and my applying my self to him. And much a doe I had to perswade the Parliament man the contrary; but at length after my taking God to witnes, that I was altogether a stranger to that letter, and that it was an unworthy suggestion of the masters to undermine me in his good opinion.

Well, by much a-doe I regain'd his favour thus farre, to meet with other Parliament men, as to have a private hearing of the businesse before I went out of the Towne: for I had said to spend all my monies in attending upon my petition. To which hearing I desired our master from them, to be present; our master desired, that I would desire another Parliament man, his great friend, to be there: I desired him accordingly to be there in his name (not caring how many there were, so confident I was of my petition.) When we had met in the Treasury at *Westminster*, I did conceive it requisite for to put this question to our master, Whether he did conceive me to be a lyar; for it was necessary in respect we had no witnesses, nor the Statutes of our Colledge by us: otherwise all that I should say (if there were no credit to be given to me) would come to nothing, whatsoever I alledged, and it concern'd him to inform them privately so, in respect I had petitioned such things against him; and the Letter that he had fally fathered on me, made me believe he must needs second such a businesse with grosse informations against me. The master answers to this, That he knew no such thing of me himself; but he produces a paper out of his pocket, which he read, *That Mr. Waideson was a notorious common lyar and impostor, &c.* and other scandalous words, signed but by 4. of 40. Fellowes of our Colledge. I desired to see the

paper, and to know the names of the signers; but he refused that: I urged these three Parliament men, that they would not suffer a paper of this nature to be read, but that I might know my accusers: The Parliament men would neither speak *pro* nor *con* to it; at which I was amazed, and I think he may be ashamed to procure a Libell by such unjust means (as will appeare hereafter,) and to publish it so poorly. Here I had just cause to have stopt from giving any further account concerning my Petition: For what good could I hope from such Parliament men, who would suffer such a Libell without rebuking it. Well, I thought with my selfe; yet, I would goe on with my Petition; for I was confident, that whatsoever I alledged there, he could not wipe off: By that petition I accused him of severall things, *That he made forty pounds a year very neare, of Chambers, against the expresse letter of the Statute, cap. 32. And that Schollers in the House in the mean time pay for their Chambers, when they ought to have Chambers free. Then I alledged his unproportionable Divident, his double Commons, and his weekly Divident from the Colledge in his absence, Cap. 36. Stat. During his stay at the Assembly, (where he had 4. s. per diem) and how Monopolies were maintained both from Brewer and Chandler, much to the detriment of Students, and our unworthy profit: For our Brewers payes us an hundred Marks per annum for our custome. He answered to these things severally, but all one and the same answer; That the former Master, Dr. Beale, did thus and thus. I confessed he did so. Then the 3 Parliament men answered, *He might doe so.* By this answer I might perceive no good to be done; yet I run over some few of these following matters, *That none should keep his Acts by Proxie, Cap. 6. 13. or 23. Statut. That there should be Friday Problemes, the Colledge Preachers preach 8 times per annum, Cap. 22. Our Prayers begin at five in the morning, Cap. 9. 24. 44. Latine, Greek, or Hebrew, to be the onely Languages within our Colledge-Walls, Cap. 23. And how that he had made 3 Seniors not so qualified as they ought to be, of which the Master had got the Committee to dispense with Mr. Peachie, and Mr. Dand, two of them being drunken Malignants, and no Covenantiers.* The Parliament Fellows then had complained of these men unto the Committee, and imprisoned Mr. Peachie, & got an Order against Mr. Dand that he should have no indulgence to sit as Senior. Notwithstanding all this, they continue Seniors at this day, by our Masters will. The Order that could exclude us, must not exclude them. Let all the world judge if this be not arbitrary power. *The next Senior understood not a Colloquie of Corderius, as I alledged; and the choosing of such an one was contrary to his Oath taken at the election of him.* The master*

to this reply'd, *That it was false; for hee had had him in his chamber, and examined him, and found the contrary.* I presently stopp this lying mouth, replying, *That the Senior was now at home, and that the Master knew very well, that I had 4 l. in the Burfers hand there, wherewith I would beare that Seniors charges, and I would ask the Master forgiveness at the Exchange in London, or elsewhere, for the perjury he said I had accused him of, if that Senior could before those Gentlemen, construe a piece of Corderius.* Not one word was spoke to this my offer. That you may see what a Clerke he was at that time, I shall present you with a piece of Latine of his owne making then, upon this occasion; it is usuall for Fellowes to admit Siziers under them, and to be responsible to the Colledge for them, under their hand; you may perceive after long consultation with his Dictionary, he would have pitcht up the words together thus, *Henricus Hebbert Subziator magistri Alot Fide-jussoris ejus examinatus & approbatus a me admissus est.* But mistaking, he sent it to the head Lecturer thus under his hand, *Henricus Hebbert Subziator magistri Alot, Fide & jussore ejus examinatus & approbatus a nobis admissus est.* This is the second time this Senior hath been in print for his learning, but no Reformation as yet. Well, I was desired to passe to the next, *That he had made another Senior one that was no graduate, as was pretended.* And from that day to this he hath not brought any Certificate, though required, to shew his degree. The Master answered, *That this burden must be laid upon my Lord of Manchesters shoulders, if that he came in, or was kept in contrary to our Statutes.* But in truth this answer of his was very false, as I am able to prove the contrary: For he formerly had treated with me, how he might be brought in: I then told him plainly, the Statutes were quite against his comming in.

The petition being run over, I did desire that I might have charges during my two times attendance against the old Seniors formerly in 43. and now against them in 45. and our new Master: In truth it was agreed upon by the Parliament men, that the Master should be a meanes to help me to my charges from the Colledge for my attendance in 43. against the old Fellowes, and they told me that I need not doubt, but if I would, I might live and enjoy my Fellowship: for the Master would not take revenge of this complaint; and words to that effect. And it was said moreover, The Petition little concerned our Master. As for the old (w) fellows that wronged me, I might have remedy against them: I askt where, and they replyd, At Law. So we departed. I found but cold comfort to returne to the (x) Colledge: For the Ma-

(w) Mr. Winterburn an old Fellow, was

one of these li-bellers, for the suing of whom I was ejected.

(x) The rich man hath done wrong, and yet he threatneth wchalt: The poore is wronged, and hee must intreat I also. Eccles. 13 ver. 3.



ster got privately from the three Parliament men, a Certificate, (as I understood by one of our Fellowes) *That he had done nothing but what might become a prudent and honest man.* I wonder much if these Gentlemen did doe any such thing, that they would give such a certificate upon such a petition, never a witnesse examined; but to take my leave of them with one question: was the producing of the Libell, not shewing the Autho-<sup>r</sup>s, a discreet and prudent act for so grave a Minister?

I betooke my selfe to *Bedford*, to practice Physick there: Afterwards *Oxford* was taken in 46. After it was taken, I went to see it, and there I searcht the Universities Register out; *Mr. French*, an old, and now Fellow of *Martin* Colledge: I askt him if ever he knew one *Bird* (for *Bird* gave out that he was of that Colledge) He told me yes, and described him. I asked him what degree he was of: he told me he thought him none. I desired a Certificate from him concerning the not taking of his master of Arts degree, which he pretended to us at *Cambridge* to have taken. *Mr. French* after the perusall of his bookes, gave me a certificate that he was no master of Arts. And this was sufficient for me, fairly to convince by this certificate, the Master and our Seniors, how desperately they had sworne to give that Lecture to one that was *Adminimium in Arisibus magistro*, and to put by one they knew to be such, and to admit one that was none.

Well, up to *London* I got about the fourth of *September*, in 1646. I goe from *Oxford*, and shewes our master the Certificate, he was somewhat abashed at that businesse. I told him I was advised to print my proceedings. He replyd, I need not feare but I should have justice of *Bird*, or to that effect. A doubt he made to me, whether I had not made my Fellowship void, going away in that discontent I did. I replyd to him, Let mee but have the Lecture, and let them doe with my Fellowship what they thought good. I went downe to the Colledge again with his liking, understanding from our master, that *Bird* should have no more time then sixe weekes to disprove the Certificate if he could, and then they would take the Lecture from him if he could not disprove it. In this time the doubt that was made of my Fellowship, was taken away, without any sollicitation of mine. But for all this promise, *Bird* had further day given him till *Christmas*, so that I may say that of him \**Dionys. Halycarn.* said of *Valerius*, *That it was not his destiny to perform promises.*

This *Bird* continuing a Senior, or ruling Elder still: and now by reason that I urged him so close, he thought that it would not be amisse to stop

\* ὅτι ἀπαρτίστει  
αὐτὸν πικρὰ καὶ  
πολλὰ ἐμπίπτει  
τῶν ἐπαγγελῶν  
Ἰωάννης Διονύσιος  
Ἡλικάρ. Ἀντ.  
Rom. lib. 8.



stop my mouth with something if he could: and to that end in a full company of the Master, and Seniors, accused me, *That I had, or would have ravished a woman, and how that I had assisted a Felon, therefore I was guilty of Felony.* And many other things he did alleadge of other nature, upon which he did desire leave to sue me. The company declared, that those things he alleadged were no Colledge businesse, and therefore he might sue where he thought fitting. This the Master and Seniors granted unworthily (none of them conceiving of those things alleadged, but as vaine things) for had I been obnoxious to such things, I durst not have contended so long against their injustice, and they proceeded besides from one, whom I had so farre prosecuted as to have him expelled; well, I knew that of *Tacitus*, they had studied to be true, *Fortiter calumniari & aliquid Hærebit*, therefore they thought good to countenance it with their content in way of approbation of a sute. Now this *John Bird* I conceive, had done all (x) he would do.

Well I knew my selfe free from such aspersions, and that others might the better know it, within a week after I went to the Mr. the President being with him, and desired leave to sue the said *Bird*; the President before the Mr. declared to me, that I need not aske leave, for in that, that *Bird* had liberty to sue me, I was at liberty to sue him: Upon that I went to Dr. *Hill* then Vicechancellour, and desired that my suit might be entered against *Bird* in the University-Court for these scandalls, Dr. *Hill* *Procan.* he would not doe it, without he were assured of my leave from the Colledge (though our Colledge nothing concerned him as Vicechancellour, for in such cases I run the danger) he sent for the President of the Colledge, M. *Fothergill*; and after the President had satisfied him, my action was entred of 50 li. against *Bird* for those words, and other reall injuries he had done me; the first Court-day we appear in the Consistory, and then Dr. *Hill* in the presence of the Court, did ask him the said *Bird*, whether he thought me guilty of such things as he had alleadged; he said he did not thinke so, he was askt his proofes: he said, that I had spoke those things of my selfe, against my selfe; the Vicechancellour replied, that it was improbable, that I should speake such things. Yet this *Bird* offered no submission, but desired longer day before his next appearance, about six weekes, for he was to goe abroad to seeke a Certificate about his degree, it was granted him, he appeared not, by reason of which, my businesse was put

off

(2) Τὸν δὲ δόσθ-  
 βειν· παρρηγο-  
 (ἀρετῶν, βίαν)  
 εἶναι συννομεῖς  
 ἢ παρρησία,  
 ἀλλὰ, γὰρ ἀν-  
 δραχὴν δραστῶ-  
 σιμος ἴσ' ἢ.  
 Laertius in vi-  
 ta Bionis.

off a quarter of a yeare, to see if he would come in, then when I expected an end : Dr. *Hill* Vicechancellour, falls sicke of a quartan Ague, so that I could not get him to sit in the Consistory. By this time my cause had been depending three quarters of a year; I desired Dr. *Hill* a month before he was to goe out of his office, that he would call a Court in his Chamber, as he might doe, and make an end of it; for I did beleve, our Master, Dr. *Arrowsmith* would succeed him Vicechancellour, and then I lookt for no justice; he told me that I need not feare this cause, for Dr. *Arrowsmith* must doe me justice. Well, our Master succeeding him, I attended him as Vicechancellour in the Court, many Court dayes, Dr. *Arrowsmith* our Master, proceeded in the cause, and sware my witnesses: That done, appointed a time for the examining of them, but at the time appointed, he would not examine them; and at the length in the Court he gave this Answer, that he was not resolved to proceed further in the cause, by reason that we was both Fellows of St. *Johns* Colledge; and that I had not leave according to the 25. Statute: I did make him to understand, that the President had declared leave to me, hee being present; and not contradicting which the President justified before Dr. *Hill*, and kow he had proceeded in the cause two months, but put the case I had none, I might have sued the said *Bird* notwithstanding any Statute of our Colledge, for he was no Fellow, howsoever if I should offend that Statute alledged, he might proceed to punish me accordingly in the Colledge, as Master thereof, with the Seniors; but he now being the University Judge, I did expect to have proceedings according to our University Statutes; well, whatsoever I could do or say, I could get no proceedings, *Si ego rosas loqueretur, ticam oleret.*

Well my Advocate and I appealed from him unto the University, both of us taking our oaths upon the Evangelist, as the Statute of Appeals requires, that we had just cause to appeale from him, laying downe a summe of monies, which were to be forfeited, in case that the Vicechancellour was wronged by us. The Vicechancellour was so powerfull, that my businesse made but a slow progresse according to our Statutes, for it was a quarter of a yeare before I could get Commissioners appointed from the University to examine the cause: After much sollicitation, at the length Dr. *Minshall*, Dr. *Peppi*, Dr. *Pratt*, Dr. *Tims*, Mr. *Morre* of *Cain* Colledge were appointed, who were first to examine, whether I had just cause to appeale, upon examination

amination they admitted the Appeal, notwithstanding all the reasons the Vicechancellour had given into Court. And the Register was commanded to enter my cause by Dr. Peeps, *propter justiciam denegatam à Domino Precari. nos admittimus causam, &c.*

John Bird being summoned by them, and not appearing, they swore my witnesses; one of the things that I had against him, was the subscribing of that infamous libell, which our Master divulged before the three Parliament men in my presence, and procured by Dr. Arrowsmiths meanes, as may perceive by his letter now in my custody. To this Article I did intend to produce as witnesses against Bird those three that subscribed it with him, for I secretly understood who they were; now one of them went out of the Towne as distracted, Sir Elliot, and so continues; the other two, Mr. Winterburne and Mr. Colliar answered to that Article, being the fourth, whether they did beleve or know, that the said Bird did subscribe, *cum aliis, That Mr. Waidson was a notorious common Lyar, and Impostor, &c.* and to words to that effect, Mr. Winterburne in the first place he deposes, that he doth not remember that Bird did subscribe any such paper; no he thinks, that Bird could not be so simple or dishonest to subscribe any infamous paper, &c. This deposition was taken in July 1648. About June in 1647. Mr. Winterburne protested (as it will be witnessed) That he never set his hand to any paper against Dr. Waidson, to be a Lyar and Impostor, that he did not take him to be such a man, he said he onely writ his name to that was true in that paper, he (a) would witness. Mr. Colliar he sware to this fourth Article, That he knew not any thing to depose, *Nescit deponere.* How these men sware, you shall judge presently; for God hath discovered their wickednesse: and whether these men be fitting to stay in the Colledge, you shall be Judges, Noble Patriots.

But to hasten to an end of my Sute, the Commissioners for the University gave me 30 li. Damages against the said John Bird; and withall would have caused the said John Bird to have recanted before the University, otherwise to have been expelled if I had urged it. Mr. Colliar that was a party in the Libell, as I suspected, but I had made him my witness, he comming shortly after upon an occasion to my (b) chamber, I made him acquainted that the businesse was plaine enough, that he had his hand to that Libell, and what wrong he had done himselfe, in not deposing his knowledge, for all the Colledge suspected him to be a party in it, to which he did depose his *nescit deponere.* (c) He was sensible of what I had spoken to him,

1 Tuum Testi-  
monium, quod  
in aliena re le-  
ve est, id in tua,  
quoniam con-  
tra te est, gra-  
vissimum esse  
debet. Cicero  
orat. pro P.  
Quint p. 12.  
(b) ὁ ἑαυτοῦ  
ἐνδοξὸς ἐν τῇ  
ἐκκλησίᾳ  
(c) Ah si quis  
primo per-  
juria Coelar,  
tera tamen ta-  
citis venit pe-  
dibus.

and how the Colledge wondred how he would sweare in that manner; so that he shewing more candour then ever he did before or since he gave me this *Polinodia* of his owne hand writing, witnessed before two Fellows, and Mr. Smithsly Fellow-Commoner.

(d) Quid ego  
studios? Tum  
colem ex ore  
pariter & ca-  
lidum & fri-  
gidum effus?  
valebis, satyre,  
neque enim  
mihi ratio est  
cum ejusmodi  
homine com-  
mune habere  
hospitium.

(e) *Es Sicut*  
*his de pueris*  
*zava*, he swal-  
lows oaths as  
he doth herbe  
pudding.

Whereas Mr. Bird did produce a paper, 16, 6. which was scandalous a-  
gainst Mr. Waidson, subscribed by Mr. Winterburne (d); The effect of the  
scandall was this, that Mr. Waidson was a notorious common Lyar and Impostor,  
&c. upon which Mr. Bird did desire that I would set my hand thereto: To which  
I replied that I could not, not knowing any such thing by him, he further urged,  
that if I would but subscribe, it should never be knowne, nor tend any way to my  
prejudice, whereupon I did set my hand to that paper with great Reluctancy  
(which paper as I beare was published by Mr. Arrowsmith, Mr. of our Col-  
ledge before some Parliament men in Westminster-Hall about the same time)  
and hereupon being sensible of the wrong done me by Mr. Bird, and the wrong  
Mr. Waidson did sustaine thereby, I doe humbly acknowledge his goodnesse in  
the free forgiving and passing it by. Witnesse my hand, (e) Jer. Colliar, St.  
Johns in Cambridge, August 25. 1648.

Well might this mans name be *Colliar*, nam nigro carbone notandus.  
And that the Company of Brewers at London may be better acquaint-  
ed with him. I shall here insert a short passage.

The last Summer in 48. they sent unto our Colledge (as they  
ought to doe) to send up three Master of Arts unto them; one of  
which three they the Brewers are to choose to be Schoolmaster (at a  
place neare St. Albans.) Now one *Grant* of our Colledge, a pretty  
modest civil man had a desire to be a Schoolmaster, and desired the  
favour of our governors here, about that time, either for that, or  
*Sedbury*: They replied unto him, that he was no Master of Art, for  
the Schoole that he desired, required a Master of Art. This *Colliar*  
within a month he desires this Schoole, and he procures two, Mr.  
*Plum*, and one *Hendly* to bee his stales and to bee nominated by  
the Master, and our Seniors; for it was well knowne that these  
two would not have accepted of that place, but because three  
must bee sent up, *Colliar* would beare their charges. Now this  
*Hendly* was no more a Master of Arts, then *Grant* was; yet see the  
madnesse of men, they were not ashamed to pronounce *Hend-  
ly*, a Master of Arts under the Colledge seale, to the Company of  
Brewers. Well, these three goe to London, and as they had com-  
plotted, *Colliar* was accepted of to the Schoole; and by much adoe  
he obtained leave of the Company to be absent untill Christmas,  
which

which day he promised to observe, but he hath stayed at the Colledge, and notwithstanding he is Schoolmaster there yet, they have chosen him in the Colledge to be Dean of our Colledge, the last month of Aprill 1649. which place of Deanship is a place of credit in the Colledge and Profit, requiring his presence there, so that its beleev'd the said *Colliar* will either get a peece of money for his leaving of the School, for making way to some that shall succeed him, or else he will farme it out, for he is an Harpax and hungry fellow : The Mr. and our new Governors are not ignorant that he is such a man as I have described him.

But to return again from whence I had digressed, now for Master *Winterburn* the other subscriber to the Libell, and whom I had examined as a witnesse as I told you, he would not any wayes acknowledge that he had done me any wrong, so that I told him I would sue him, and to that effect, *I made the Master and Seniors acquainted in August 48. how that the said Mr. Winterburn had many waies wronged me in being an Assistant and Promoter, and a party to all Birds injuries towards me, amongst which the Libell was mentioned, that our Master had a hand in the producing of, as I told you, and other things very materiall much to the dammage of me, therefore I thought good to make them acquainted of my suing of him, not doubting of their approbation, for I conceived them not to be lites domesticæ, being matters assed before other Authorities and at London, yet notwithstanding I desired to make them acquainted therewith, that what I should doe, I might doe with their just approbation.* The Master and Seniors knew very well how much it concerned our Master not to have the Libell brought in question, therefore they all (saving two) would give me no leave, I perused the Statute being the 25. which is, *That all Domesticke contentions shall within the Colledge both bee examined and judged, whosoever shall sue any man abroad without the consent of the Master, or in his absence the President and Major part of the Seniors, be is to be removed from the Colledge.* I conceived that what I should declare against Mr. *Winterburn* would not make me obnoxious to that Statute, For all suits betwixt Fellow and Fellow were not to be censured Domesticke Controversies, for the word Domesticke need not to have been added here, if al controversies between fellow and fellow were cognoscible by the Colledge, but it being a contrary distinct term from forraign, it is here inserted to limit the word al in respect of forraign, and of such the Colledge I acknowledge may command the judicature of, for so it was declared in the case when *Bird* obtained leave to sue me by those men, seeing that I could not have

the approbation of these men, for I knew my businessse to be no Colledge businessse, I went to our Master being Vicechancellor, and though indeed I might justly suspect his favour to Mr *Winterburn* (for reasons above alledged) yet notwithstanding I desired him as Vicechancellor, he would heare it in the University Court, which he ought not to have denyd me; he told me, without the Colledge would give leave, he would not doe it; I desired that he would doe his part as Vicechancellor, and if I should offend the Colledge-Statute, he might as Master with the Seniors proceed against me, Well, he refused it, I desired him then that he would send for Mr *Winterburn* & talke with him, and try what satisfaction he would give me. About a month after I having no account from the Master either one way or other, I arrested Mr. *Winterburn* with a Kings Bench writ upon a Saturday, after which, the same day, the Master told me, that he knew my intent was to shoot at him.

The munday following I was convented before the Mr. and pretended Seniors, for breaking the Colledge Statutes by arresting of Mr. *Winterburn*, I did desire that what charge they had against me might be put in writing, and that I might answer, I was bidden to withdraw, and before they rose, (f) the Master pronounc't me no fellow, and sent for the Butterie Tables and cut my name out there, before the Master and his Seniors knew what my cause was, for as yet I had not declared, (if 2. of these Seniors should have ou'ed themselves, or have been outed by the company, for having temporall meanes above the Statute fivefold, their judgement then perhaps might have made me mistrusted the justness of my cause, but they can see a mote in anothers eye, and not the beam in their own) neither dealt they so with Mr. Peachie who was questioned for his Fellowship, but they could allow him his charge in writing, and give him daies to put his answer in writing (though the businessse was never so foul) and then return all to the Parliament, though most of them were cognoscible by the Colledge, knowing that none would prosecute (whom our Master favoured) there, at so great charges, but here ended not their injustice, they caused reports by their Emiffaries, That I had deserved expulsion out of the Universitie for wronging the privilege thereof, and thus with a multitude of voices they clouded my innocencie, but with that of Socrates I comforted my self (g) *What disgrace is it to me, that others know not right,* or if they know it, would not doe it. Now by this time an Officer of the Universitie told me, that there had been two Masters of Arts with him about drawing up a grace for my expulsion out of the Universitie, I replied to the

(f) Eccles. 1. 9.  
Septuagint.

μη καταδωμεν  
σιν δε αμαρ  
τιαν, εν γαρ τη  
μολογησας  
εσθ.

Offend not  
twice, for in one  
thou shalt goe  
free.

(g) εμοι δε τι  
εις ον, το, ετε-  
ρος μη διασσω-  
σιν εμα, τα δι-  
καια μητε  
υπαρει. μητε  
ποιηται Χ. π.  
Mem. lib. 8.



the Officer, that certainly the University would not doe any thing as our Colledge had done, untill I should declare my cause; for the Universitie commands but actions within a mile of the Town, and the causes that I would declare against Mr. *Winterburn* would be out of that distance, he replied it was true, they should not doe the one, nor could not the other, but what if a grace were propounded for my expulsion, upon the confused notion (through mis-reports) of my Arrest, I could not look for so favourable an issue, besides he told me that there was notice taken of my going to some Townsmens Houses ( who are reputed *Independents* ) from whom I had received ill counsell, and therefore it were the best for me to withdraw my suit suddenly, and that Mr. *Winterburn* and I might bee reconciled, which Mr. *Winterburn* was willing too upon my releasing of him of all the injuries that he had done me, so by this meanes I stopt their present furie of expelling me the Universitie; yet notwithstanding I desired to stop their mouths, and to that end, I petitioned our Mr. as Vicechancellor, That he would be pleased to call the Masters of Colledges together, that I might take off this report of my breaking the Universities priviledges; but hee had no mind to doe any thing of that nature, whereby I might vindicate my self of such Aspersions.

But I will take my farewell of this cause, with the opinion of our Professor of Civil Law, Doctor *Goad*; for our former Master did frequently resort in doubtfull matters of our statutes unto a Doctor of Civill Law, The occasion of my going to him was thus, having occasion to move the Master and Seniors, about 5 *li.* which was by them thought fitting for me to have, but before I should have it, it was propounded by them to me, that I should sign my ejectment to be just, this was *Aprill 11. 1649.* Before I might give them an Answer, or at least a denial, I desired to see my sentence of my ejectment, but they would not let me see it, I then desired them that some would convince me of it, for I would not be so dis-ingenious, they might beleeve, as not to acknowledge the truth, especially when the contrary would be to my losse; something was replied, but I could not be induced by it; so the five pounds was stoppt, therefore that I might the better satisfie them upon the 14. of *Aprill*, I advised with Doctor *Goad* The case being put thus, (*The Colledge Statute*) *Omnes lites domesticæ intra Collegium cognoscantur & dijudicentur, qui foras aliquem in jus vocaverit sine consensu magistri aut eo absentee præsi-*  
dis

dis & maioris partis senistum collegio amoveatur. B. Fellow of the Colledge, calls C. without leave another fellow thereof, to London by a writ out of the Precincts of the Colledge not specifying any cause or action therein, he prosecutes not the Arrest by any declaration against C. *Queritur*, Whether B. in this case hath transgressed the Statute, I am of opinion that B. hath not transgressed the Statute, for as the case is put, it cannot be judged, whether it were his domestica or not upon which he arrested C. And if B. should have declared other matters than lites domestica, so arresting of C. in that manner makes not B. a transgressor of the Statute, Thomas Goad.

Well, To sum up all and to shew you in briefe what this man or rather Beast was that I arrested, and what some 4. or five of our Seniors are, and finally what the Reformation is, and how other worthy men, whom will they, nill they, they must confesse to bee such that are cheated of the Colledge profits unworthily by them, whilst men of my degree and standing, stand bare before yong men, one of them somtimes a Batchelor, or an old *Henry Sophister Jack Bird* by name, That one would think the *Antipodes* was acted in our Colledge, and this all under the pretence of the Covenant, which they unjustly impose upon us contrary to their protestation, and for their own ends, for the Covenant they themselves observe so far as it may advance themselves & not the state. To begin with this Mr. *Winterburn*, he is so notorious & often drunken Batchelor of Divinie, that he was publicly lashed under the person of *Summerturn* in a book of Poems, of an ingenious Gent. Mr. *John Hall* fellow Commoner of our Colledge, Printed at Cambridge, 1646. of this his fault, and of his neglect of going to any Church upon the Lords daies, the Deans of our Colledge had often times friendly told him of it, but never punished him as they ought to have done, one day amongst the rest, being drunke in the Hall, he belched out many unfavorie words against the Parliament in June 1647. insomuch that Mr. *Creswick*, the Dean and Mr. *Heron* Parliament Fellows, rebuked him for it, but he making his peace with them, they prosecuted the matter no further. Now for the arresting of this man by a Kings Bench writ, for things that much concerned me, when I could not be righted any where, I was (b) ejected: that this man is such a one, they must confesse it whether they will or no, for the last *Michaelmas* it was recorded that he was a frequent drunkard, and frequent slanderer of sundry fellows, to which admonition he did subscribe his hand, and some of the Seniors would have put in not going to the Church upon the Lords daies, but the Master replied not, because

(h) Καλὸν μὲν  
τοῦ ἀδελφοῦ  
κωλύειν, εἰ δὲ  
μὴ μὴ ἐν αὐτῇ  
ᾗ ἐστιν. Demo-  
cratis. Sen.

cause hee had privately admonished him of it not long before : Now suppose I had contrary to our locall Statute arrested such a man, did I deserve for this act to be outed, to have been made the first President, before other of my Fellowes, who manifestly continue in their Fellowship contrary to Statutes. Many I could name, To begin with Mr. \* *Peachie*, who hath been accused at a solemn meeting, by many, seven in number, Parliament Fellowes, of these things to the Master and Seniors, about a yeare and a halfe agoe, *That he was a man not fit to sit any more as Senior, nor to beare any Office in the Colledge, that he was a notorious Drunkard, that he is scandalous, about his Bed-maker (being another mans wife) that he is a Fucus in Alvearibus, & he did choose one to be a Senior Fellow upon his Oath (after a Petition exhibited against him to the Parliament (for an egregious Dance) and the Parliament had sent for him. The names* subscribing, *Robert Waideson, William Allot, James Monbray, James Creswick, Robert Plumm, Samuel Heron, John Houfman,* the Master did so much favour him notwithstanding these objections, that he got the Seniors to refer these businesse to the Parliament, it seems these were not *lites domestica* nor cognoscible within the Colledge, but by this meanes of referring it to the Parliament, he knew none would prosecute him there, the attendance would be so chargeable, and especially since he shewed a mind to reserve him in store, for an old Cock. And afterwards the Master got the Seniors to bestow a living upon him, *Northstoke*, vvvhich he now enjoyes : at the bestowing of which living, before the Master and Seniors, I did desire that Mr. *Peachie* would declare his *volo Episcopare*, and that he might preach a Sermon of approbation : for the Colledge Statute had outed him, if it had been executed against him for not preaching, as vvell as it vvvas urged by 8. of us under that Article, that he vvvas a *Droane in the Hives*, (the phrase of the Statute.) Besides, I told the Master how weighty and serious a businesse for the Colledge that was his Patron, to send an able man that might preach without-book, and not such an one that was obnoxious to so many Articles. The master returned me not many words, but by his giving consent for the passing of the Seale, the major part followed his example : when that was past, I desired Mr. *Peachie* that hee would have a care of his three Churches, and some good old wife might have a care of him, and that he would not entertain young vvomen about him.

\* This M. *Peachie* was present with the Seniors, and one of them, when they summoned us all to give in our plate, which was sent unto the King, and never yet sequestred.

Secondly, Mr. *Dand*, as I told you before, was inhibited by order from the Committee, (upon the procurement of the Parliament-Fellowes) upon causes just enough, that he might sit no more as Senior, notwithstanding the Committees former dispensation for Mr. *Dand* at the Masters request, yet he continues still Senior.

Thirdly

Thirdly, Dr. *Masterfon* admitted to be a Senior, after he had been sequestred in *Cheshire*: And by his temporall meanes is outed by the Statute, and for not keeping of his Exercises in the Colledge before he commence Doctor, and after he was made Senior here, was sequestred by *M. Fortune*, for what I know not, without it is for giving ten pounds in money unto the King, and the Colledge plate which was none of his own; which truly I think he ought to restore to the Colledge, and doe desire it.

This Doctor *Masterfon* got his sequestration deferred at London, under a pretence that he hath been a mad-man these many yeares; and that you may see the madnesse of this man, he hath gotten his brother, Sir *Masterfon*, a deboihlt fellow, and a prisoner for the Kings service taken in warre, to be made Fellow, whilst Captain *Smelt* for the Parliament, mist a Fellowship. This Doctor since had the degree of Doctor conferred upon him by the University, and he is one of our Seniors, so that by Statute he is to be supposed *one of the wisest of us*, I am sure he is wise enough to save his money: now if he shall be judged to be *non sua memoria compos, fatuus, velidota*, I do humbly desire the Parliament, that I may have the tuition of him, it is *quid pro quo*: for I have been under his tuition, ever since he was a Senior. Now if he be wise enough, I shall then humbly desire the composition for his sequestration, as a thing the State had been cheated on, if I had not discovered it. And let Dr. *Masterfon* with all the distinctions he hath, take off this *Dilemma*; if he doe, I will give him leave to pay my *Garragaskins*, as hee uses the phrase.

Fourthly, Mr. *Altor*, of whom as I told you before, who was to act a part in *Corderius his Colloquies*. But it is sufficient, if he be a zealous Presbyterian, and can call Lieutenant Generall *Cromwell*, and Sir *Henry Vain* Hypocrites, for eating upon a Fast day at *Highgate*, as will bee witnessed upon oath.

Now for a Deputy-Senior, there is till within these ten weeks, virtuous Mr. *John Pawson*, our Masters deare Brother, who notwithstanding his ejectment out of his Fellowship in *Sidney Colledge*, by my Lord of *Manchester*, and imprisoned in our Colledge hath been since Lord Paramount under our Master upon taking the Covenant; notwithstanding his preaching of a malignant Sermon at *Oxford*, as is reported. Whilst he was Fellow of *Sidney Colledge*, and since he was made Fellow here, he maintained in our Chappell, by way of Sermon in a Common place, that it was his opinion, that none was obliged by the Covenant to destroy Episcopacy. Indeed this mans malignancy was so grosse, that he

was

was protested against at an open meeting by vertue of an Order from the Lords in generall to the Kingdome, that none should beare Office, or be in trust, that had been a convicted malignant in the Kingdome, or any thing to doe about the government of Colledges, as lecting of Leases, &c. The Ordinance beares date the 14. of October, 1647.

But our Master can dispense with such Orders of Parliament when he pleases, if it destroy one of his vassals. Here you may note that my Lord of Manchester, hath put many a man out for not taking the Covenant; and our Master he puts malignants in for taking of the Covenant, and whom he pleases without the Covenant may beare Office. Let any man judge if the Lords and House of Commons did not declare a Truth in March 1647. pag. 33. if these proceedings be not such, *whereby Delinquents should be set upon an even score with those, that have been engaged against them in this cause, Wee may easily seeesse to what purpose we have conquered our enemies, That the chiefest of them may be set over us to bee our masters, and to preserve our Religion and Libertie, that have done their utmost to destroy both. Is this the way to fulfill the covenant? Is this the way to performe what both Kingdomes have declared against Delinquents in their Declaration of the 30. of January, 1643. It concernes none more to mind it, then those very men that cite it: and if they will compare it with their own actions, and papers, they need ask none but their own consciences, whether the covenant shall already be out of Date, not onely with those that seek it, but also framed and devised it. Pag. 34. To whom doth the character more fully and fully agree, then to such as under the name of the covenant indeed oppose the covenant, &c. pag. 61. Now let any man judge if our Master doe not play at Hide-boy-peep with the Orders of Parliament: sometime they shall come forth in publick, other times hee that produces them shall smart for it, and that one knowes by the losse of his Proctorship, Mr. Cawdry, whom for pursuance of the Lords Order against this Parson, they prosecuted for delinquency, and ejected him; as aforesaid, out of his Proctorship before the Lords. But in truth the Parliament may declare what they will, our Master will doe what hee lists. For upon our election of Fellows in 1646. that they might exclude many a good Scholler from having of a Fellowship, who were capable by reason of our Statutes, and make way for their own friends, our governing Master & Seniors make an Order a weeks before, that none should be elected into a Fellowship, but such as took the covenant. So that by this means many good Schollers hopes were frustrated; and they elected 14 Fellows, who took the Covenant upon our Masters sending of it to them.*



I wonder by what authority our Master would presume, being no Magistrate, nor Minister of our Parish, to tender that oath, *Sed stat pro ratione voluntas*: How these Seniors and Master could take the old Oath of Statutes to elect accordingly, and to make an Order that such as took not the Covenant, (though most capable) incapable. Now we have never since had any election, though there should have been two since, by reason our Master conceives, that if he should now tender the Covenant in these times, to tender consciences, it would not be well liked of, so that by this meanes they will enrich their purses: for there is at least twelve Fellowships void this April 1649: the \* profits of which they will receive untill *Michaelmas* come a Twelvemonth. And if they will have no election the next Lent neither, God knowes how many more will be void, and how long they would keep the profits; but I hope this complaint will prevent them.

\* Eccles. 16. v.  
13. The sinner  
shall not escape  
with his spoils,  
and the patience  
of the  
godly shall not  
be frustrate.

To let you know one passage before I come to my conclusion, it was conceived by the old Fellowes, That our Master and his new Seniors, had abused the Parliament, in making these bad uses of the Covenant procured from the Committee onely for our Colledge: for it is imposed in no Colledge in the Town but ours, whereby we are kept back from our Seniority: a clause in which order was, (if you remember) *That none in our Colledge should beare Office, or be a Senior, but such as should bring a certificate from the Committee of their taking the Covenant.* The old fellowes upon this pleaded, that there having been no Committee this long time, where Mr. Bacon was Chair-man, nor likely to be renewed, from whom they might bring such a Certificate, therefore they concluded, *Lex nullact; qua obligat impossibilia.* And for a matter of a month or two, the old Fellowes took their places as Seniors, and the new Fellowes they would keep their hold; and so they did piece together old and new to make the rent the worse: for my own particular, I medled of no side, Mr Hodges now Senior, and one of the new fellowes, told me, that the old Fellowes should not keep their hold they possessed themselves of by vertue of the Statutes. And if I would not engage with them, he made no doubt but to see me Senior shortly: I promised him I would not stirre of either side. In this time they made a proffer to the old Fellowes, that if they would but let two new Fellowes be chosen Seniors, contrary to the statute; then the new Fellowes would asquiesce therein, and the old should have their Seniority without any more adoe; but the old could not, nor would not grant it. In this time, which was in August 1647. I was at the head Quarters, at

Puincy,



*Putney*, and during my being there, vvhom should I meet vvith in the Generals House there, but this Mr. *Hodges* and Mr. *Allot*, vvho but a little before vvvas so zealous against the Army, as to question vvwhether they vvvere not all traytors, yet these men could have the face to come to seek to the Generall, and Lieutenant Generall for assistance to a petition they had to preferre to the Parliament. Mr. *Hodges* seeing me there, in the presence of Mr. *Allot*, renewed his promise, if I vvould not meddle, he hoped of seeing me Senior and President of *St. Johns*. I told them, as the old Fellowes had not made me acquainted vvith their counsels, so I should not undertake to manage their businesse, but vvould be a quiet Spectator. Upon vvhat informations I know not, but they procured the Generals, and Lieutenant Generals letter to divers Parliament men in their behalfe: but you may guesse vvhat their information vvvas by their Petition to the Lords House, and how they abused the Generall and Lieutenant Generall, to make them instruments of their unjust actions, vvho vvould have abhorred it, had they had true informations. The Petition is as followeth.

*To the right Honorable the Lords assembled in Parliament, The Humble  
Petition of some Fellowes of Johns Colledge in Cambridge.*

*Humbly sheweth,*

**T**Hat by the Statutes of the Colledge, the government thereof is committed to the Master, and eight Seniors. That the present actuall Seniors, and those who by the Statutes are to be Deputies, and so to supply for a time, and in course to be chosen into the place of actuall Seniors, have been all of them (except one) fomenters of the late unnaturall warre, or scandalous in their lives, and have not to this day expressed any forwardnesse to the Reformation of Religion, or any other way demonstrated their good affection to the cause of the Parliament, and that by Ordinance of Parliament for regulating the Univerfity, five of the Seniors were ejected, all or most of them for miscarriages of the same nature with those, which we are able to prove, most of those who are now actuall Seniors, or contend to succeed them, be guilty of. And further, that most of the (i) present actuall Seniors, have sundry wayes violated the good and wholsome Statutes of the Colledge, and neglected the most materiall Requisites by our Statutes, for the making and maintaining our Society, eminent in Piety and learning; particularly

*Peackie, Dand, and Dr. Maisterfon, doth not the Master keep you in, for these Fellowes say you live unstatu-  
tably.*

*(i) Peackie, Dand, and Dr. Maisterfon, doth not the Master keep you in, for these Fellowes say you live unstatu-  
tably.*

larly the examination of the Candidates before the election of the Fellows enjoyed by the Statutes, to which the Electors are sworn before every choice; and that the supply by election of the Seniors places vacant by ejection, though it was judged the best expedient for the exigency, was not according to expresse rules of Statute, and that the Parliament was pleased to supply the places so voided in Trinity Colledge, by making an Ordinance for putting in of Seniors there, and that there is one Seniors place now actually void, and that three of the now actuall Seniors are possessed of livings, at above twenty miles distance from the Univerſity, that they cannot ſo well attend the ſervice of the Colledge; and alſo your Petitioners, conſtituted Fellows by the Authority of Parliament, and other well-affected Students have been ſundry wayes diſcouraged, affronted, and injured by ſome malignant Schollers, and Colledge ſervants encouraged (as we humbly conceive) with hopes of being connived at by the aforeſaid diſaffected Seniors.

Now to the end that we your Petitioners be not hereafter expelled the Colledge, for not comming in by the Collegiat way, but by Ordinance of Parliament. And that we may be enabled efficaciously to promote Piety and Learning, and encourage the pious, and effected young generation of Students amongſt us, and leave a prosperous ſucceſſion after us. We moſt humbly pray, that this Honourable Houſe (of whoſe indulgence to, and tender care of the Univerſity, and in particular of our Society, we have had ſuch experience, as ſhall for ever oblige us to all expreſſions of duty and thankfulneſſe) would be pleaſed to diſable thoſe who ſhall be found to have been fomenters of the late unnaturall war, or are ſcandalous in their lives, or are legally poſſeſſed of livings for ſuch a time, as to their wiſdomes ſhall ſeem good from all places of ſpeciall command or truſt in our Colledge, and by the eſtabliſhment of a new Seniority to put in ſome of the Fellows placed there by Authority of Parliament, that there may be ſome ſecurity, ſtrengthening countenance, and protection to all the well-affected amongſt us,  
 &c.

Thomas Hodges, James Creſwick, George Sikes,  
 John Pawſon, Jer. Collier, Tho. Goodwin.

Ex. Jo. Brown;  
 Cleric. Parliamentorum.

To this most shamelesse, and most lying Petition, the Lords granted this ensuing Order.

**W**Hereas the Lords in Parliament, have received certaine papers from the Vicechancellor, and the heads of Colledges in the University of Cambridge: And also have received a Petition presented by some Fellows of St. Johns Colledge in that University, whereby they understand that there are some contentions arising about the validity of some Orders of the Committee heretofore authorised by Ordinance of Parliament for the regulating of the University of Cambridge, touching the government of the said Colledge, whereby Elections and other the most important affaires thereof are wholly obstructed, the great and weighty concernments of the Kingdome, not permitting at present a full examination of the said papers and petition, and a finall determination of the aforesaid differences. It is therefore ordered by the Lords in Parliament assembled, that the Vicechancellor and the heads of Colledges placed there by Authority of Parliament, together with one or more of the Justices of the Peace for the University of Cambridge, or any three of them, whereof one to be Justice of the Peace, doe examine the truth of the particulars in the aforesaid papers and petition, and shal have power to administer an oath, if they see cause, to the witnesses, and to certifie to the Parliament the truth of the aforesaid particulars, and their opinions upon the whole businesse. And in the meane time, both parties are required quietly to submit themselves to yeeld obedience to all the Orders of the aforesaid Committee for the University, untill the government of the said Colledge and University can be settled by Authority of Parliament.  
John Browne Cleric. Parliamentorum.

Die Mercurii, 18. Augusti, 1647.

This Order the new Fellows brought downe, and here the businesse rested, but the old Fellows, having got a copy of the Petition from above, knew it so grossely lying, that the old Fellows solicited the prosecution of the Order of Lords, the other had obtained, for in truth they never intended to put it to the proofe; for they had gotten cunningly the Seniority established by this order, untill things were examined, and reported to the House, so they cared not whether ever it was examined, but the old Fellows urging them to it; instead of these high aspersions, they produced nothing but a paper, whereby it seems some of the old Fellows, and not all had signed, they would give halfe their Dividents unto the King, which

was before any Standard was up, but they protested no monies was sent; so that most of the old Fellows was stopped by the unexpected appearance of that paper against them, which our Master as it seems found in Dr. Beales study, our former Master: I would aske our Master this question, if I might, whether he could by virtue of the Covenant, conceale so long, Malignants from condignae punishment, for certainly he produced it then for a high offence against the State and Parliament? Well, if you would know how much they observed the Lords Order; the truth of it was, when they had terrified most of the old Fellows, they tryed the examination no further: now those old Fellows that were no wayes obnoxious neither to the paper, nor no way else, had no mindes to urge the further proceedings, lest they should have turned out their old acquaintance in prosecution of the Petition of the new; for my own patticular, I did aske why it was not reported unto the House? The Vicechancellour, D. Hill told me he conceived both parties would acquiesce, when I saw them abusing of the Parliament, and their lying; I asked them why they did petition that al the old Fellows was malignants, & scandalous in their lives & conversations? the Master and all the rest made answer, that I was not meant in that petition, & did so equivocate in their answers, that if I had not had logick, before I had come to them, they would perchance have made me beleve that I was not contained under the *Regula de omni*; but they told me that I was included in the reference to the Petition, that is, that the orders of the Committee should stand in force untill the Petition was examined, and to this day they would never examine the Petition; thus they jugged me out, Mr. Worrall, Mr. Berrisford, Mr. Stoite, and my selfe, men they have nothing to say against, either for malignancy or scandal of life I am confident on, for Mr. Edward Stoite, now Taxer for the Univerfity, at the same time that they presented this lying Petition, they gave him a testimony that he lived piously, studiously, and civilly, for his place and calling, to the furtherance of Piety and Learning in the foresaid Colledge, and thought him fitting to beare publicke office in the Univerfity: But I would faine know how Mr. Worrall, a Bachellaur of Divinity, how you being possessed of the company of Seniors, but now they thrust you out; could not the Covenant that you had taken, which like the Popes indulgence, remits all other former trespasses, Could not this Covenant I say, preserve you in your integrity? no, honest Mr. Worrall, no, for you preach against Tithes they say;

say; and I must tell you the Covenant is not so soveraigne a Bal-  
some to Independent, as to malignant humours.

Having now declared unto you Right Honourable, what grosse  
Seniors we have Mr. Peachy, Mr. Dand, Mr. Allet, Dr. Maisterfon; and  
Mr. Jeremias Colliar now constantly supplying the place of a Senior.  
To expect better things of these, then of our former Seniors, I con-  
ceive would be vaine: the discipline now is far short of what it used  
to be: doe prayers begin now at five in the morning, or rather six  
or seven, and sometimes none at all? Is no other language but  
Greek, Latine, or Hebrew, spoken within our Colledge? Doth e-  
very Fellow keep his owne Problemes, and not get others to do for  
them? Is that Order, or Ordinance of Parliament put in force, that  
all Knights sonnes,, Gentlemen, and Noblemen too, should keepe  
their Acts in their turne themselves, or was it ever executed. Every  
Friday at night in Tearme, our Seniors in Dr. Beales time, did dis-  
pute in Divinity as our Statute required; in this Masters, and these  
reforming (k) Seniors time, they ease themselves, and will neither  
doe nor be punished according to the Statute, and commonly used,  
and the bulinesse is quite left off, for there hath been but one dispu-  
tation upon a Friday since our new Master came, where there should  
have been an hundred; judge you whether our Seniors will not  
prove resty, by sitting in a Chimney corner. Now our Master for  
the things above alleadged, and his intolerable negligence, he ought  
to be expelled: It is reported, that he is, or hath been an Usurer, and  
if it be true, that he is such an one, he is outed by the Statute; and  
in truth for taking of his degree of Doctor with a summe of monies,  
and not by keeping of his Acts before his degree, I conceive that  
Statute defends not him therein, which they will not deny outs  
Dr. Maisterfon when they shall please to urge it. And in truth I  
thinke he may as well be out of the Colledge, as out of the Hall, for  
there he never comes: many more unstatutable doings might be  
reckoned up, but I conceive here is enough to stir you up to an  
examination of these matters, & to a due reforming; And likewise that  
you would take notice how this Mr. A<sup>r</sup>rowsmith, preserved the Univer-  
sities priviledge in taking his degree of Doctor, there was a grace  
procured surreptitiouly betwixt thirty and forty yeares ago, that it  
should be lawfull for any man that was Vicechancellour, to take  
the degrees of Doctor by caution, or depositing such a summe of mo-  
nies, the very next Congregation, there was a company of the Uni-  
versity

(k) πειρασ-  
τις ἀπολεν-  
τος Ἀριστο-  
τέλους, ἡ δὲ  
Ἀθηνῶν ἐν-  
ταῦθα πρὸς  
τοῦτον, ἀλλὰ  
πρὸς μὴν  
Χριστοῦ τοιοῦ-  
τος δὲ μὴ Λατίνος  
in ejus via.



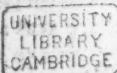
versity men did protest against it, as a thing that tended to the disgrace of the University, and contrary to a Statute in the University in 12. of Elizabeth. And many other weighty reasons alleadged, as appears by the Protestation entered with the University Register, notwithstanding this Protestation, since Mr. Arrowsmith came to be head in the University, this corrupt Grace, so long since, so justly protested against, was re-inforced, and he commenced Doctor by it, and never as yet disputed, but onely deposited so much money for his degree. Many other things I could advise for the honour of the University; but this is not my subject, though I apprehend that this complaint will procure me the odium of a great many more new Masters of Colledges that have thus commenced; and what a hard taske it will be for me to attend a Committee onely with the justnesse of my cause, in respect I shall have all the opposition that Dr. Arrowsmith can make, and all his friends: But howsoever, the Lords will be done.

That the Fountaine may not be neglected, lest it derive to the publicke detriment, I have not here represented things in a false glasse, to imitate the Rhetorician to make great things small, and small things great; but am ready to prove any Accusation in the whole Booke, with its dimensions, or else let me suffer for it.

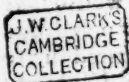
For my own particular here I have set up my rest, and will comfort my selfe with that of (m) Agesilaus who bid the Ambassadors tell Tessaphernes (who had broken the Truce against oath) to thanke him for breaking of his oath, for he doubted not now of assistance from above, to fight for him against a perjured man. And with an expectation of a returne of that engagement, the Parliament made in their Remonstrance to the people for the making a defensive war, To maintain our Laws, and Liberties, to punish vice, without respect to persons: And if this shall be as really performed, as it was intended (I am confident of) though flood rise after flood upon me, ἐνταῦθα γὰρ αἰεὶ μοι Κομμαὶ ὑμῶν, yet will I say that of Zeno in Laertius, Νῦν ὑπὸ πλοῦτος ὄντι νενάυηνται, I have now sailed well, because I was shipwrackt.

Glory be to God.

(m) Ἀγαμέμνων  
λαί πο ποσα  
ἐπὶ τὴν πόλιν  
βασίλειον  
αὐτῶν ἔχον, ὅτι  
ἐμπορεύσασθαι  
τοῖς μὲν τὰ θεῶν  
πλεῖστα ἐξήλθον  
σῶν, πῶς δὲ  
ἐλλοσι συμμα-  
χίαν ἔπιδουν.  
Xeno orat. pro  
Agesilo.



Democratis Sent.  
χαλεπὸν ἀρχεῖν καὶ τὸ ἴδιον χαλεπότερον.



Errata, Pag. 4 line 18. read season, p. 10. in the margin. r. ἀπαρτίσω. p. 14 l. last, r. as, p. 15 l. 12. r. Braggadoes, p. 22. l. 12. r. quod si ego Rosas loquerer, urticam oleret. p. 24. l. 4. r. Withsby.



